

### **REMARKS**

The present response is submitted in reply to the Final Office action which was issued on November 9, 2007. Claims 1-13, 15 and 16 are pending in this application, each of which has been rejected. The Applicants wish to thank the Examiner for the withdrawal of the rejections of the present claims on the bases of anticipation and obviousness. By the present response, claim 1 has been further amended and clarified, as discussed below. The Applicants also wish to thank the Examiner for taking the time to discuss the current amendments by telephone interview with Sean F. Mellino of D. Peter Hochberg Co., L.P.A. on Friday, February 8, 2008 and concluding that the amendments set forth above would be acceptable and would satisfy the current issues, but that a Request for Continued Examination (RCE) would be required. Accordingly, an RCE is enclosed herewith. No new matter has been added.

### **Objection of Claim 1 and Rejection of claims 1-13, 15 and 16 under 35 U.S.C. 112, second paragraph**

The Examiner has objected to claim 1 for reciting in one instance "a monomer composition" and in another instance "a monomeric composition." This issue has been corrected, as set forth above. Withdrawal of this objection is respectfully requested.

Claims 1-13, 15 and 16 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In particular, the Examiner states that claim 1 recites the polymer composition consisting of components (a) – (e), including different groups of monomers (a) – (c) and also (d) as an initiator and (e) as a

liquid, chemically inert medium. The Examiner contends that it is not clear from the disclosure whether the components (d) and (e) are the parts of the final polymer composition, or whether they were used only during the polymerization process and further being deleted. Therefore, the Examiner concludes that one having ordinary skill in the art cannot determine the scope of the claimed subject matter.

The Applicants respectfully submit that, in light of amended claim 1 as set forth above, components (a) – (c) are the monomers that define the composition of the polymer that will be obtained by polymerisation. Component (c) is in fact a cross-linking agent. Therefore, components (a) – (c) define the polymer, including the cross-linking agent, for obtaining the desired softness and inner strength of the polymer

The Applicants further submit that component (d) defines the initiator which is necessary to start the polymerization reaction. The Applicants refer to paragraph [000026] of the present specification which discusses “initiators” in view of the present invention. Basically, every polymerisation reaction requires an initiation to start and initiators are chemical agents that are capable of decomposing into radicals which in turn start a free-radical polymerization. Usually only a portion of the initiator remains in the polymer that is obtained from a polymerization reaction that initiated with the initiator. However, it is noted that the initiator is neither utilized to characterize a polymer nor specified if a polymer has to be characterized. It is common practice to characterize a polymer by the monomeric composition from which it was polymerized. It is respectfully submitted that the aforementioned should be clear to one skilled in the art.

Turning now to component (e), it defines the amount of liquid medium in which

the polymerisation may occur (i.e., paragraph [000027] of the present specification). The liquid medium may either be an organic solvent in which the monomers are present in dissolved form. However, the liquid medium may also be water and the monomers are not dissolved, but rather are emulsified. For reasons of accuracy, the term “liquid medium” is employed in claim 1 rather than the term “solvent.” The term “solvent” seems to be a term that clearly specifies that it is not part of the polymer. However, the term “solvent” seems to be inaccurate since water is not a solvent *per se* but rather a medium wherein the components are emulsified. The Applicants respectfully submit that it should be clear to one skilled in the art that the solvent or medium is not part of the adhesive polymer. The medium is the liquid in which the polymerization reaction may occur, and in which the polymer is present after being polymerized. If an adhesive tape is to be manufactured from the polymer, the solvent is evaporated after coating of the polymer onto a substrate. The Applicants also respectfully submit that this would be clear to one skilled in the art.

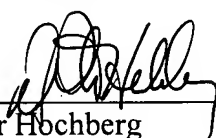
In view of the above arguments and claim amendments, it is submitted that the present claims are no longer indefinite to one skilled in the art, and withdrawal of this rejection is strongly urged.

### **Conclusion**

In light of the foregoing claims and arguments, it is believed that the present application is in condition for allowance, and such action is earnestly solicited. The Examiner is invited to call the undersigned if there are any remaining issues to be discussed which could expedite the prosecution of the present application.

Respectfully submitted,

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